

REMARKS

This Amendment under 37 C.F.R. §1.116, is in response to the final Office Action mailed August 23, 2007, and is filed together with a Request for Continued Examination (RCE).

In the final Office Action, claims 1-20 and 23-44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Stemp in view of McMichael. Reconsideration and withdrawal of these rejections is respectfully requested for the reasons outlined below.

As the Examiner will note, claim 1 has been amended to recite:

...
applying the retrieved user information to a rule base including a plurality of rules;
selecting ~~content~~ advertising to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of ~~rules, and rules~~;
sending an address of the selected advertising to the accessing computer, and
causing the accessing computer ~~Web site~~ to fetch the selected advertising from the address sent to the accessing computer and to integrate display the selected content fetched advertising to the accessing computer into a currently displayed page of the Web site.

Indeed, the previously recited content is now recited as advertising, which is not taught or suggested by the Stemp – McMichael combination. As the Examiner will recall, Stemp teaches to change the manner in which content is presented according to “behavioral characteristics” such as, for example, an “analytical personality type” (see Col. 6, line 50), the “amiable personality type” (see Col. 8, line 1), the “expressive personality type” (see Col. 7, line 18) and the “driver personality type” (see Col. 7, line 36). The user, in Stemp, is afforded an opportunity to select which of these personality types best fits the user using slide bars (see Stemp's Fig. 6). Neither Stemp nor McMichael, whether considered singly or in combination, teach or suggest selecting advertising to be displayed on a Web site based upon collected user identification data, as applied to a rule base including a plurality of rules.

In addition, the amended claim further recites that the address of the selected content is sent to the accessing computer, which then fetches the selected advertising from the address sent to the accessing computer and integrates the fetched advertising into a currently displayed page of the Web site. In paragraph 9, the Office stated that the “address of the selected content” was taught in Stemp at Col. 6, lines 19-22. However, this passage states:

20 clicks on the link for the “How to Contact Us” page. The request for the page is sent to the application layer **200**, which in step **552** accesses the data layer **300** to obtain the raw data on the company’s address, fax number, etc. The

It is quite apparent that the company’s address refers not to an IP address of selected advertising or other content, but to the postal address of the company, which would be listed, along with the fax number” on the “How to Contact Us” page.

With regard to paragraph 10 and fetching the selected content at the address and integrating the fetched content, the Examiner points to Co. 5, line 43 to Col. 6, line 11 of Stemp. However, Stemp in this passage describes the processing that occurs when a user decides to change his or her behavioral profile. The change is processed through the application or middle layer, which then accesses the data layer,

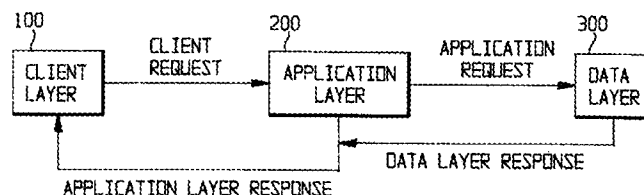


FIG. 1

whereupon the changed behavioral profile is passed back to the middle layer and then back to the client layer. The updated behavioral profile can now be used to “format the raw data in the data

layer 300 in a form suitable for viewing by that user.” This passage does not teach or suggest, whether considered alone or in combination with McMichael,

sending an address of the selected advertising to the accessing computer;

causing the accessing computer to fetch the selected advertising from the address sent to the accessing computer and to integrate the fetched advertising into a currently displayed page of the Web site.

as claimed in amended claim 1. Formatting raw data according to user behavioral profiles (in Stemp’s own words, see Col. 5, lines 53-63) does not rise to the level of a teaching or suggestion of the claimed embodiments.

Claim 18 has been amended in a similar manner as was independent claim 1 and the arguments advanced above are equally applicable to claim 18.

Amended claim 35 recites:

selecting ~~content~~ advertising to be posted in the accessed Web page based upon a result of the application of the retrieved user information to at least one of the plurality of rules, and

sending ~~at least one of the selected content and an~~ address of the selected content to the accessing computer for posting into the accessed Web page.

The outstanding Office Action pointed to Col. 3, lines 13-25 of Stemp as teaching the claimed subject matter. This passage is reproduced below for the Examiner’s convenience:

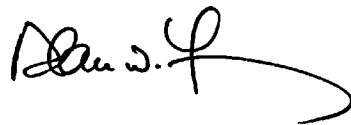
FIG. 1 shows an overview of a system according to the preferred embodiment of the present application. The system 1 is organized as three layers: a client layer 100, an application layer 200 (alternatively known as a middle layer) and a data layer 300. The client layer 100 submits a request to the application layer 200, which in turn sends a request and passes the appropriate parameters into the store procedures on the data layer 300. The data layer 300 process those parameters and returns the requested information to the application layer 200. The application layer 200 formats the information on the fly in accordance with a business object and passes the information thus formatted the client layer 100, which creates the front end for the user.

As the Examiner will note, this paragraph is an overview of the Stemp system. This overview unambiguously states that the middle layer (also called the application layer 200) formats

the information ... and passes the information thus formatted to the client layer 100. Therefore, Stemp positively and unambiguously state that their system formats the information before sending it to the client layer 100. In direct contrast, the embodiment of claim 35 requires that the address (not the advertising itself), be sent to the accessing computer for posting to the Web site. Claim 35 does NOT state that selected advertising is fetched and then sent to the accessing computer, in the manner that Stemp calls for the information to be formatted at the middle layer and then sent "thus formatted" to the client layer. Instead, claim 35 requires that the address of the selected advertising (and not the advertising or content itself – however formatted) be sent to the accessing computer, which is wholly unsuggested by the applied combination of references. In view thereof, it is respectfully submitted that the 35 U.S.C. §103(a) rejections previously applied to the pending claims be reconsidered and not re-applied to the claims as amended herewith.

Applicants believe that this application is now in condition for allowance. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is necessary to resolve such issues will be done at once.

Respectfully submitted,



Date: October 25, 2007

By: _____

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